

1-1 By: Rodríguez S.B. No. 964
1-2 (In the Senate - Filed February 21, 2017; March 1, 2017,
1-3 read first time and referred to Committee on Agriculture, Water &
1-4 Rural Affairs; April 6, 2017, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 6, 2017, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|------------------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | <u>Perry</u> | X | | |
| 1-9 | <u>Rodríguez</u> | X | | |
| 1-10 | <u>Creighton</u> | X | | |
| 1-11 | <u>Hall</u> | X | | |
| 1-12 | <u>Hinojosa</u> | X | | |
| 1-13 | <u>Kolkhorst</u> | X | | |
| 1-14 | <u>Miles</u> | X | | |

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the Jeff Davis County Underground Water Conservation
1-18 District; authorizing a fee.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subtitle H, Title 6, Special District Local Laws
1-21 Code, is amended by adding Chapter 8891 to read as follows:

1-22 CHAPTER 8891. JEFF DAVIS COUNTY UNDERGROUND WATER CONSERVATION
1-23 DISTRICT

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 8891.001. DEFINITIONS. In this chapter:

1-26 (1) "Board" means the district's board of directors.

1-27 (2) "Commissioners court" means the Jeff Davis County
1-28 Commissioners Court.

1-29 (3) "Director" means a board member.

1-30 (4) "District" means the Jeff Davis County Underground
1-31 Water Conservation District.

1-32 Sec. 8891.002. NATURE OF DISTRICT. The district is a
1-33 groundwater conservation district in Jeff Davis County created
1-34 under and essential to accomplish the purposes of Section 59,
1-35 Article XVI, Texas Constitution.

1-36 Sec. 8891.003. FINDINGS OF PUBLIC USE AND BENEFIT.

1-37 (a) The district is created to serve a public use and benefit.

1-38 (b) All land and other property included in the district
1-39 will benefit from the works and projects accomplished by the
1-40 district under the powers conferred by Section 59, Article XVI,
1-41 Texas Constitution.

1-42 Sec. 8891.004. DISTRICT TERRITORY. The district's
1-43 boundaries are coextensive with the boundaries of Jeff Davis
1-44 County, unless the district's territory has been modified under:

1-45 (1) Subchapter J or K, Chapter 36, Water Code; or

1-46 (2) other law.

1-47 Sec. 8891.005. APPLICABILITY OF OTHER GROUNDWATER
1-48 CONSERVATION DISTRICT LAW. (a) Except as otherwise provided by
1-49 this chapter, Chapter 36, Water Code, applies to the district.

1-50 (b) Section 36.121, Water Code, does not apply to the
1-51 district.

1-52 SUBCHAPTER B. BOARD OF DIRECTORS

1-53 Sec. 8891.051. COMPOSITION OF BOARD; TERMS. (a) The
1-54 district is governed by a board of five directors appointed by the
1-55 commissioners court.

1-56 (b) Directors serve staggered four-year terms that expire
1-57 on March 1 of the applicable odd-numbered year.

1-58 Sec. 8891.052. VACANCIES. If there is a vacancy on the
1-59 board, the commissioners court shall appoint a director to serve
1-60 the remainder of the term.

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SUBCHAPTER C. POWERS AND DUTIES

2-1 Sec. 8891.101. GENERAL POWERS AND DUTIES. The district has
2-2 the rights, powers, privileges, functions, and duties provided by
2-3 the general law of this state, including Chapter 36, Water Code,
2-4 applicable to groundwater conservation districts created under
2-5 Section 59, Article XVI, Texas Constitution.

2-6 Sec. 8891.102. LIMITATION ON TAXES. The district may not
2-7 impose taxes in the district.

2-8 Sec. 8891.103. FEES. (a) The district may assess fees as
2-9 authorized by Section 36.205, Water Code.

2-10 (b) The district may not charge for an annual period
2-11 production fees greater than \$1 per acre-foot for water used for
2-12 agricultural use or 17 cents per 1,000 gallons for water used for
2-13 any other purpose.

2-14 SECTION 2. Chapter 641, Acts of the 73rd Legislature,
2-15 Regular Session, 1993, is repealed.

2-16 SECTION 3. (a) The legal notice of the intention to
2-17 introduce this Act, setting forth the general substance of this
2-18 Act, has been published as provided by law, and the notice and a
2-19 copy of this Act have been furnished to all persons, agencies,
2-20 officials, or entities to which they are required to be furnished
2-21 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-22 Government Code.

2-23 (b) The governor, one of the required recipients, has
2-24 submitted the notice and Act to the Texas Commission on
2-25 Environmental Quality.

2-26 (c) The Texas Commission on Environmental Quality has filed
2-27 its recommendations relating to this Act with the governor, the
2-28 lieutenant governor, and the speaker of the house of
2-29 representatives within the required time.

2-30 (d) All requirements of the constitution and laws of this
2-31 state and the rules and procedures of the legislature with respect
2-32 to the notice, introduction, and passage of this Act are fulfilled
2-33 and accomplished.

2-34 SECTION 4. This Act takes effect September 1, 2017.

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